

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yutaka Umehara *et al.*
Application No. : 10/655,093
Filed : September 4, 2003
For : Matrix Derived From Whole Organ

Examiner : Deborah K. WARE
Art Unit : 1651
Docket No. : 67789-278
Date : August 1, 2007

Response to Notice of Non-Compliant Amendment

Dear Sir:

In response to the Notice of Non-Compliant Amendment ("Notice") dated July 27, 2007, Applicants submit herewith the required Corrected Section of the Non-Compliant Amendment. According to the Notice, the Amendment was considered non-compliant in that each claim was not "provided with a proper status identifier..." and only the corrected section of the non-compliant amendment was required.

Accordingly, attached is the Corrected Section, *i.e.*, the claims section, of the non-compliant amendment. Applicants submit that the Amendment is now in compliance with 37 C.F.R. 1.121 and request that the Amendment filed on April 18, 2007, and the Corrected Section are entered.

//...p. 2

The Examiner is invited to contact the undersigned at (213) 633-6800 if there are any questions regarding this application.

Respectfully submitted,
Yutaka Umehara *et al.*
DAVIS WRIGHT TREMAINE LLP

By 
Linda B. Truong
Registration No. 56,461

Attachments: Copy of Notice of Non-Compliant Amendment dated July 27, 2007
Corrected Section of the Amendment filed April 18, 2007

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/655,093

09/04/2003

Yutaka Umehara

67789-278

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50670 7590 07/27/2007
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EXAMINER

WARE, DEBORAH K

ART UNIT

PAPER NUMBER

1651

MAIL DATE

DELIVERY MODE

07/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

RECEIVED
Davis Wright Tremaine LLP

JUL 30 2007

CL#

67789 MT# 278

ATTY(S)

CEDARS-SINAI

DUE:

DOCKETED

9-30-07

Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

10/655,093

Examiner

Deborah K. Ware

Applicant(s)

UMEHARA ET AL.

Art Unit

1651

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on 18 April 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
 - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Deborah K. Ware
PATENT EXAMINER
Legal Instruments Examiner (LIC), if applicable

571-272-0924
Telephone No.